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Judge Deborah Fleck: A Fond Farewell to a Force for Justice

By Judge Richard McDermott



When I stepped forward to write this article about my friend, Judge Deborah Fleck, who retired as of the 30th of November, I guess I didn't realize what a daunting task I was getting myself in for. I contacted several people from around the state and I might just as well confess now that the Bar Bulletin does not have enough space for me to include all the responses that I received or adequately list all of her contributions. So, I will try to summarize.

Deborah Fleck was appointed to the King County Superior Court bench by then-Gov. Booth Gardner in 1992. She was raised in Seattle, attended Franklin High School, the University of Washington and the University of Puget Sound (now Seattle University) School of Law, graduating with her husband Clay in 1976. She describes her father, a long-time Boeing executive, as "my shining example of integrity." When one walks into her chambers, she proudly points out that she is using his desk and credenza.

She is bright, articulate and incredibly hard working. While in law school, she served as one of the editors of the Law Review. Once she was in private practice she soon established a reputation as an outstanding litigator. She practiced civil law, primarily in the areas of family law and personal injury. But the call to public service was simply too strong and she sought a position on our court.

She established herself as one of the very best trial judges. She has been recognized repeatedly by her peers and members of the bar as a leader in her field. In 2005, she received the Outstanding Judge Award from the Washington State Bar Association (WSBA) and the President's Award from the King County Bar Association (KCBA). She

has been recognized as the Jurist of the Year by the Family Law Section of the WSBA and the Judge of the Year by the Washington State Trial Lawyers (WSTLA, now the WSAJ). She has also received the WSBA Award of Merit, the Washington Women Lawyers' Vanguard Award and the Seattle University School of Law Distinguished Law Graduate Award. If there were more awards to give, she would and should have received them.

On our court, she has served in a great many positions: chief judge of the Maleng Regional Justice Center; chief of the Unified Family Court; Executive Committee member and chair of endless committees and workgroups far too numerous to enumerate.

Statewide her accomplishments are even more profound. She was a member of the policy-setting organization for the courts in this state - the Board for Judicial Administration (BJA) - for 12 years (longer than anyone else). She served as co-chair of the BJA along with former Chief Justice Gerry Alexander. Speaking of the former chief justice, I asked him to share some of his thoughts and he responded as follows:

"After reflecting on my 17 years of service on the Washington State Supreme Court (1995-2011), particularly the nine years I spent as chief justice, I feel comfortable saying that during that time Judge Deborah Fleck made an unparalleled contribution to the successful effort Washington's judiciary made, under the banner of the Justice in Jeopardy Initiative (JJI), to obtain improvements to the state's justice system.

"The Justice in Jeopardy Initiative had its birth at a conference in La Conner in 2002. This conference was initiated and organized by Judge Fleck who shortly before had been elected president of the Superior Court Judges Association. The conference ultimately led to significant planning efforts and culminated in a series of proposals to the Legislature for increased state funding for trial court operations, civil legal aid for the economically disadvantaged and public defense for indigent criminal defendants. Happily, in the early years of 'JJI' we made considerable headway in obtaining the requested funding increases.

"As chief justice, I considered Judge Fleck to be the conscience of the initiative, the one who consistently prodded me and our colleagues, always in a pleasant but effective manner, to keep the initiative moving forward. I consider myself very fortunate to have had Judge Fleck as a hard-working and dedicated collaborator during this important time in which we accomplished so much for the betterment of our justice system.

"Throughout her long judicial career, Judge Fleck has been willing to work hard, often behind the scenes, to make our justice system fairer and more efficient so that in the words of the Pledge of Allegiance to the nation's flag, justice is truly for all. I consider Judge Fleck to be a great and good friend and I join with her many friends and admirers in thanking her for her JUDICIAL service and wishing her all the best in retirement."

Judge Fleck, in addition to serving as president of the Superior Court Judges Association, was on the SCJA Legislative Committee for 12 years, serving as chair for five. The legislative consultant for SCJA, Tom Parker, tells me, "During the legislative session, Judge Fleck is the last person I spoke to at night and the first person I spoke with in the morning. Her comprehension of the issues and energy to solve them was amazing." In 2008, when I had the pleasure of serving as SCJA president, Judge Fleck was our legislative chair, and the energy and information she brought to us was something I had never seen.

In addition to all her service to the Superior Court judges of our state, Judge Fleck has served on the Washington State Minority and Justice Commission for almost 20 years and has chaired the Workforce Diversity Subcommittee for the past 15. She is a true champion of the rights of minorities and she has made strong contributions to many of the strides our justice system has taken in this area.

She has been a strong advocate for civic education programs, including "Judges in the Classroom," "We the People" and the Washington State Judges Foundation (which sponsors many of these programs), serving as board vice president.

Judge Vickie Churchill of Island County Superior Court has stated: "I have come to think of her as the Renaissance woman, a person skilled in many areas who has a broad base of knowledge. She deeply cares about the disadvantaged, the persons persecuted by outdated social norms and the vulnerable. For Judge Fleck her passion is translated into passion for changing things for the better."

Pierce County Superior Court Judge Kitty-Ann van Doorninck told me: "Bruna Martinuzzi, in her book *The Leader as a Mensch*, says: 'A Mensch is a powerful leader who inspires with the integrity and confidence and force of character that motivates others to follow - not through persuasion or intimidation, but by example of consistent, courageous, compassionate confidence.' Judge Fleck has all those characteristics and many of her colleagues around the state appreciate that 'force of character' that motivates us to be better judges and to assure access to justice for all who appear before us.

"Judge Fleck has been my personal mentor and inspiration since I met her in 1999. Her tireless dedication to this work is truly admirable. I personally will miss working with her, but she will always be my dear friend."

Paul Sherfey, chief administrative officer of the King County Superior Court, says, "Unknown to many, judges have responsibility for the administration of justice, both at the local and state levels. Judge Fleck has contributed more to the State's administration of justice than perhaps any judge in our court's history. She is a tireless and tenacious advocate for justice improvement and the citizens of King County and the State of Washington are all the better for it."

In conclusion, I can only add a few thoughts: In my opinion, for the courts and the citizens of our state, Judge Fleck has been the most important judge of the past 20 years. Her vision, motivation, energy and ability to accomplish goals others only dreamed about are all legendary. I personally will miss her very much.

She has been my inspiration and the one I looked to in difficult times. By her energy and example, she has made all who came into contact with her better. She and her husband Clay have many plans for a joyful and busy retirement. I have a sneaking suspicion that they will fulfill all of those and many more.

Thank you, Judge Deborah Fleck, and may the next chapters of your life be as fulfilling as the past!